

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

March 31 – April 4, 2003

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
3-31	EX	76/174,403	Chanel, Inc.	Hohein Walters Rogers*	Section 6 disclaimer requirement (of the word CORRECTION)	Refusal Affirmed		"ULTRA CORRECTION" [skin care preparations, namely, moisturizer]		Stine	No
4-1	EX	75/980,776	Linguistique et Intelligence Artificielle	Cissel Seeherman Chapman*	whether applicant's specimens show service mark use of its mark in connection with the services recited in its application	Refusal Reversed		"LIDIA RETRIEVER" [business consultation directed to the research and scientific analysis of the syntax of written and oral communications, with particular regard to discerning the main ideas of such communications and their associated ideas, especially to enable intelligent indexing of such communications]		D. Taylor	No
4-1	EX	74/475,672	International Coffee & Tea, Inc.	Hanak Quinn* Walters	2(d)	Refusal Reversed		"THE COFFEE BEAN" [coffee beans, ground coffee, loose tea, tea bags, hot chocolate, chocolate-based food beverages and pastries; retail shops and mail order services featuring coffee, chocolate and tea-based beverages, coffee beans, ground coffee, chocolate products, loose tea and tea bags, pastries, coffee and tea related products, namely, cups, mugs and filters and clothing, namely, t-shirts; and office coffee supply services]	<i>2 cited registrations, both owned by the same entity:</i> "THE COFFEE BEANERY" (and design) [coffee, tea, herbs and spices] and "THE COFFEE BEANERY" [coffee, tea, processed herbs, and spices]	Wilson	No

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4-1	EX	75/812,311	Pastarito S.r.l.	Simms Seeherman Drost*	2(d)	Refusal Affirmed		"PASTARITO PIZZARITO" (and design) [restaurant services]	"PIZZARITO" [pizzas and ingredients for making same]	Benzmiller	No
4-2	EX	76/157,628	RX-DISPENSE, Inc.	Hanak* Bottorff Drost	2(e)(1)	Refusal Affirmed		"RXDISPENSE" [equipment for dispensing pills to consumers, namely, electronic pharmaceutical pill dispenser and electronic control devices therefor, pill dispensing cassettes and automated counters, automated retrieval devices, all for operating such dispensers and for collecting and electronically transmitting patient vital sign and pill consumption data; electronic control devices for filling pill trays at a pharmacy; dispensers for pills sold empty; advertising services, namely, creation and dissemination of electronic advertisements of others in the field of health care targeted to patients; health care services, namely, dispensing of pills to consumers at the time of consumption and collection of pill consumption data and vital sign data for electronic transmission to a remote medical provider]		Estrada	No

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4-2	EX	75/343,660	Rodizio Restaurants Int'l., Inc.	Hanak* Hairston Chapman	2(e)(1)	Refusal Affirmed		"RODIZIO GRILL" [restaurant services and restaurant carry-out services]		Webster	No
4-2	EX	74/498,601	Software Publishers Association	Hanak Chapman* Bottorff	whether the matter applicant seeks to register on the Supp. Reg. as a certification mark functions as such	Refusal Affirmed		"CERTIFIED SOFTWARE MANAGER" [a certification mark for software asset and licensing management]		Zak	Yes
4-2	CANC (**)	92030454	No-belle.com, LLC v. Qwest Communications Int'l., Inc.	Hairston Bottorff* Rogers	genericness; abandon-ment; whether cancellation petitioner has standing	Petition to Cancel Denied		design mark consisting of the stylized representation of a bell within a circle [telecommunications services]			Yes [originally issued as non-citable 2-4-03; re-designated as citable 4-2-03]
4-3	EX	75/668,451	Ivy Legal Placement, LLC	Cissel Seeherman* Drost	2(d); Section 6 disclaimer requirement (of the words LEGAL PLACE-MENT)	Refusal Affirmed on both grounds		"TVY LEGAL PLACEMENT" [professional legal recruitment services]	"TVY ASSOCIATES" [attorney placement consulting services]	Faint	No

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4-3	EX (R)	76/051,359	G-U Hardware, Inc.	Cissel Quinn* Drost	2(e)(1); whether applicant's identification of goods is sufficiently definite; 2(d)	"Request for Rehearing" Denied [Refusal Affirmed, but only on 2(e)(1) and identification of goods grounds]		"LIFT-SLIDE" [hardware for doors and windows, carriages, rollers, locking bolts, plugs, bottom guides, cover plates, bumpers, sealing pieces, handles, pulls, plates, stops, lift locking gear, locks, connecting bars, gaskets and end caps]	"TILT 'N SLIDE" [window assemblies, window sashes, patio doors and patio door assemblies; supporting hardware for window sashes and patio doors, namely, pivots, brackets, interconnecting members, carriers with or without rollers, handles, pivot shoes, sash retainers, sash clips, locks and latches]	Dwyer	No
4-3	EX	76/118,859	Respironics-Novamatrix, Inc.	Simms Seeherman* Quinn	2(d)	Refusal Affirmed		"MARS PO2 TECH" (and design) [medical devices, namely, pulse oximetry monitors]	"MARS" [medical apparatus, namely, apparatus for recording, processing and analyzing patient physiological data]	Goodsaid	No

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